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TECHNOLOGY CENTER 3600

Chauza & Handley, L.L.P.
P.O. Box 140036
Irving, TX 75014

In re application of : **DECISION ON PETITION**
Lee A. Smith et al. : **TO MAKE SPECIAL**
Application No. 10/780,433 : **(ENVIRONMENTAL QUALITY)**
Filed: February 17, 2004 :
For: METHOD OF FORMING A MAT OF EROSION
CONTROL BLOCKS

This is a decision on the petition filed February 17, 200⁴, under 37 CFR 1.102 (c) to make the above-identified application special under the procedure set forth in MPEP 708.02, Section V: Environmental Quality.

A grantable petition to make an application special under 37 C. F. R. 1.102(c), MPEP 708.02, Section V for an invention which materially enhances the quality of the environment of mankind by contributing to the restoration or maintenance of the basic life-sustaining elements-air, water and soil, must be accompanied by affidavits or declaration under 37 CFR 1.102 by the applicant or his attorney explaining how the invention contributes to the maintenance or restoration of one of these life sustaining elements.

The petition includes a statement by Roger N. Chauza, attorney for applicants. Mr. Chauza states that "the invention relates to erosion control blocks, and methods of cabling the blocks together to prevent erosion of the soil in water channels, terraces, waterways, shorelines, beaches, bayous, etc. The techniques described in the captioned application allow erosion control blocks to be fabricated, cabled together and installed as a mattress to thereby prevent erosion of the underlying ground and thus materially enhance the environment."

For the above stated reasons, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications; (2) to promptly examine this application out of turn; and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference and appeal, if any, only if petitioner makes a prompt *bona fide* effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

A handwritten signature in black ink, appearing to read 'KJ Dorner', is positioned above a horizontal line.

Kenneth J. Dorner
Special Programs Examiner
Technology Center 3600
(703) 308-0866

KJD/rwg: 10/21/04